

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage Field Office  
**CATEGORICAL EXCLUSION (CX) FORM**

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CX No.: AK-040-04-CX-029

Lease/Serial/Case File No.: AA-051054, AA-41759, A-51647, AA-16453

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Proposed Action Title/Types: Assignment of existing Right-of-Ways

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Location of Proposed Action: All four pipelines are located in the Kenai and Anchorage Areas of SouthCentral Alaska. For detailed legal descriptions see attachment 1.

Description of Proposed Action: The Proposed Action is to assign four existing right-of-ways from the Alaska Pipeline Company (APC), an Alaska corporation owned by SEMCO Energy Inc. to Alaska Pipeline Company, LLC, A Delaware limited liability company (APC LLC), whose stock will be owned by Atlas Pipeline Partners, L.P. APC LLC will assume all the responsibilities and obligations of APC upon the assignment being completed.

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Applicant (if any): Alaska Pipeline Company, LLC, through its agent, Enstar Natural Gas Company

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**PART I - PLAN CONFORMANCE REVIEW**

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This Proposed Action is subject to the following land use plan:  
Southcentral Management Framework Plan

Date Plan Approved: March 1980

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

Remarks: Objective Number L-2 of the MFP states the BLM intends to “Satisfy needs for rights-of-way.”

**PART II - NEPA REVIEW**

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A. Categorical Exclusion Review.

This Proposed Action qualifies as a categorical exclusion under 516 DM 2, Appendix 1. or 516 DM 6, Appendix 5.4. E(9). *“Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.”*

B. Departmental Exceptions Review.

The following Departmental List of Exceptions apply to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

- |   | YES | NO       |
|---|-----|----------|
| 1. Have significant adverse impacts on public health or safety.   | ___ | <u>X</u> |
| 2. Have adverse effects on unique geographic characteristics, historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. | ___ | <u>X</u> |
| 3. Have highly controversial environmental effects.   | ___ | <u>X</u> |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.  | ___ | <u>X</u> |
| 5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.   | ___ | <u>X</u> |
| 6. Be directly related to other actions with individually insignificant, but cumulatively significant environmental effects.  | ___ | <u>X</u> |
| 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.   | ___ | <u>X</u> |
| 8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.   | ___ | <u>X</u> |

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YES NO

- |     |  |     |     |   |
|-----|--|-----|-----|---|
| 9.  | Require compliance with Executive Order 11988 (Flood plain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act. | ___ | ___ | X |
| 10. | Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.  | ___ | ___ | X |

I certify that none of the Departmental exceptions listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks:

Preparer(s): Rodney Huffman Date: June 4, 2004

**PART III - DECISION**

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or stipulation(s) attached in this case file.

Remarks:

Authorized Official: /s/ June Bailey Date: June 8, 2004